

REMARKS

1. The Office Action has rejected Claims 1 – 46 under 35 U.S.C. §251 because of problems identified in the Office Action with the Supplemental Reissue Declaration. In response thereto, Applicant is submitting herewith a Second Supplemental Declaration for Reissue Patent Application.

The first identified problem is that the Supplemental Declaration filed on June 8, 2009, lacks the inventor's citizenship and does not give the residence and mailing address of the inventor, an updated "no deceptive intent clause" being required. In response, Applicant respectfully submits that the Second Supplemental Declaration submitted herewith includes the inventor's citizenship and the identification of the residence and mailing address in Paragraph 1 of the Declaration. Furthermore, Paragraph 6 of the Declaration contains an updated "no deceptive intent clause", including that the errors in the previous Supplemental Declaration were not made with any deceptive intention.

The second identified problem is that the Declaration indicates that the patent has not been assigned and should be deleted in the new declaration. The undersigned attorney regrets this error which he made because of a faulty memory and a failure to confirm with the records of the USPTO. Paragraph 1 of the Second Supplemental Declaration submitted herewith has the correct assignment information. The Assignee is wholly owned by the inventor. This error was not made with any deceptive intention.

The third identified problem in the Final Office Action is a note that the patent claims cannot be renumbered. Applicant respectfully submits that no re-numbering of the claims has been made in the reissue application or identified in the Second Supplemental Declaration submitted herewith.

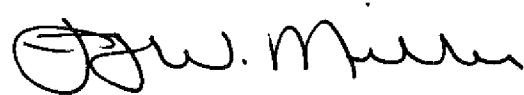
In view of the submission of the Second Supplemental Declaration herewith resolving the problems identified in the Final Office Action, Applicant respectfully requests that this rejection be reconsidered and withdrawn and that the application be passed to allowance.

2. In summary, no claims have been amended or canceled and Claims 1 and 3 – 46 remain in the application (Claim 2 being canceled as indicated by the bracketing in the claims above). Applicant believes that the claims are allowable based on the foregoing amendments.

Applicant respectfully requests that all rejections be reconsidered and withdrawn and that all claims remaining in this case be allowed.

Pursuant to currently recommended Patent Office practice, the Examiner is expressly authorized to call the undersigned attorney if in his judgment disposition of this application could be expedited or if he considers the case ready for final disposition by other than allowance.

Respectfully submitted,



Date: September 12, 2009

Larry W. Miller, Reg. No. 29,417
Attorney for Applicant
Miller Law Group, PLLC
25 Stevens Avenue
West Lawn, PA 19609
Phone: 610-670-9000
Fax: 610-670-9901